

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-047

Complainant: No. 1110400246A

Judge: No. 1110400246B

ORDER

The complainant alleged a superior court judge failed to address his pleadings. The commission reviewed the complaint and found no evidence of ethical misconduct on the part of the judge. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 23, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on April 23, 2010.

This order may not be used as a basis for disqualification of a judge.

2010-047

COMPLAINT AGAINST A JUDGE

Your name: _____

____ Judge's name: _____

____ Date: 2-16-10

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

I had filed a complaint (09-199) against Judge _____ for failing to answer my filings. Since that time I had filed additional pleadings in addition to the unanswered ones. When you responded and questioned Judge _____ he did not - He struck all my pleadings from the record. This included a challenge to subject matter jurisdiction, a Rule 32, several sworn affidavits, Requests for Public Records, Motions to Void Sentence because the State could produce NO RECORDS of ANY type AS TO AN indictment with my NAME _____ on it NO COURT RECORDS NO NOTHING. I asked for an investigation, a hearing to produce my evidence that I was never indicted, I received NO RESPONSE, I even filed a motion/request for the judge to provide me with his credentials and identification - NOTHING WAS ANSWERED AND NOW THIS SAME JUDGE _____ HAS STRUCK FROM THE RECORD EVERYTHING without even providing evidence of jurisdiction. I also submitted documents for filing which would have paid PIMA County almost 300 million dollars - This was sent back on the judge's order of June 25, 2009 dismissing striking all of my pleadings the first time (the basis for Complaint 09-199) AND NOW he struck them all AGAIN. Judge _____ has also been served these papers on a personal level and has refused to respond. His statement "as non-complaint with the ARIZONA RULES of CRIMINAL PROCEDURE" is a totally vague and ambiguous statement that could cover ANY

contingency. I have raised Constitutional Issues of a grave nature and requested the opportunity to present these to the court, The Judge could have dismissed these but he chose to strike them, removing them from public record, prevented me from any appeal, refused me access to the courts, failed to follow not only procedures, but the Arizona Revised Statutes, and the Constitutions of Arizona and the United States and by doing so has violated his sworn oath of office and further denied me due process, equal access and protection, and now due to his "order" the clerk will not even grant me the opportunity to file documents with them - no doubt on the judge's order. Also when called (telephonically) for both the Jurisdictional Challenge and a Rule 32 I told the court that by ARS Rules a Jurisdictional Challenge must be heard first before a Rule 32 otherwise I am accepting jurisdiction. Judge Hartman I now find out struck my Rule 32 and Jurisdiction Challenges. Judge did not follow the standard of law which was set to ensure me my constitutional rights, and violated

NOT ONLY HIS SWORN OATH BUT THE
CONSTITUTIONS OF AZ AND THE US AS WELL
ALL UNDER THE COLOR OF LAW AND HIS OFFICE.
I EVEN WENT AS FAR AS TO EXPLAIN TO
ME WHAT TO DO, HOW TO FILE, WHAT
I DID WRONG. I ASK HIM TO EXPLAIN
WHAT HE MEANT - HE STRUCK THE REQUEST.
BECAUSE OF "ORDER'S"

I HAVE NO ACCESS TO THE COURTS
NO DUE PROCESS NO ANYTHING. AND
ALL WITHOUT ANY HEARINGS ANY INVESTIGATION
MY AFFIDAVITS ARE UN-ANSWERED BY THE
STATE BECAUSE TOLD THE
STATE (PROSECUTORS) THEY DID NOT HAVE TO
ANSWER ANY OF MY FILINGS. I FEEL
THIS IS 1- WILLFUL MISCONDUCT IN OFFICE
2- WILLFUL AND PERSISTENT FAILURE TO PERFORM DUTIES
3- A VIOLATION OF THE CODE OF JUDICIAL CONDUCT
4 - CONDUCT THAT BRINGS THE JUDICIARY INTO DISREPUTE
I ALSO FEEL THESE THINGS VIOLATED MY
RIGHTS AND SWORN OATH OF OFFICE
BY THE SUPPRESSION AND OBSTRUCTION OF
ACTIONS IN STRIKING THESE FILINGS
WITHOUT RULING ON THEM INDIVIDUALLY AS
THEY WERE FILED AND BY
ACTIONS AND IN ACTIONS HE HAS USURPED
HIS POWERS OF A JUDGE IN THIS MATTER

I am asking for an investigation to determine if is making anything. Did sign off these Motions to get paid and state they were acted on. This problem will not go away until my rights under the Constitution has been corrected. One motion, 5 motions I can understand an error. But over 100 documents have been stricken. There is something wrong that more talking to will not fix. This is not new or a one time issue is persistent in denying me access to the courts, due process and equal protection. He shows no intention of listening to you or me. I do not intend to stop this investigation until I get answers - and I am further willing to make all of this a public record on my own.

Sincerely

P.S. If it can not be shown I was

indited I am here certainly and
is the one keeping me certainly
incarcerated.

What is my Relief? or as my Father
use to say "IS THERE NO HELP FOR A
WIDOWERS SON."